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**MCDERMOTT, WILL & EMERY**  
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**Date:** November 7, 2003 **Time Sent:**

**TO:**

Name	Company	Facsimile No.	Contact No.
Examiner: Jermie E. Cozart, Art Unit: 3726	U.S. Patent and Trademark Office	703-746-4216	703-305-0126


**FROM:** Stephen T. Scherrer **Direct Phone:** (312) 984-7753  
**E-Mail:** **Direct Fax:** 312-984-7700  
**Sent By:** Kim Meinert **Direct Phone:** 312-629-3986  
**Client/Matter/Tkpr:** 47440-037-5683 **Original Follow by Mail:** No  
**Number of Pages, Including Cover:** 19

**Re:** U.S. Patent Application No. 09/725,656

**MESSAGE:**

Examiner Cozart: I have attached a copy of the original response filed July 18, 2003 to the office action dated April 22, 2003 for U.S. Patent Application No. 09/725,656 entitled "Railcar Maintenance Process." Please call me at 312-984-7753 if you have any questions.

Best regards.

  
Stephen T. Scherrer (Reg. No. 45,080)

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**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL  
KIM MEINERT AT 312-629-3986 AS SOON AS POSSIBLE.**

Applicant: Barich, et al. Docket No. 47440-037000  
 Title/Mark: Nuclear Maintenance Process Serial/Reg./Patent No. 9/725, 656  
 Date Sent: 01/18/03 ☐ Hand Carried ☐ First-Class Mail ☐ Port. of Mailing ☐ Express Mail No. \_\_\_\_\_  
☒ Transmittal Letter (1 pp. in 20) ☐ Utility/Design/Continuation/CIP/FWC/Divisional/PCT  
☐ Other: \_\_\_\_\_  
 \_\_\_\_\_ pages of Specification  
 \_\_\_\_\_ pages of Claims  
 \_\_\_\_\_ pages of Abstract  
 \_\_\_\_\_ pages of Formal/Informal Drawings  
☐ Information Disclosure Statement  
 \_\_\_\_\_ Form PTO 1449  
 \_\_\_\_\_ copies of cited references  
☐ Preliminary Amendment  
☐ Response to Missing Parts Notice  
☐ Certified Copy of Priority Doc.  
☐ Claim for Convention Priority  
☐ Verified Statement of Small Entity Status  
☐ Transmittal of Issue Fee: Form PTO 85b \_\_\_\_\_ Form PTO 85C \_\_\_\_\_  
☐ Maintenance Fee for \_\_\_\_\_ years after grant  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Recordation of \_\_\_\_\_ Patent \_\_\_\_\_ Trademark: Assignments/Security Agreements/  
☒ Response/Amendment to Office Action of 04/24/2003 ☐ Petition to Commissioner for  
 Other: Amendment (15 pp.) and return postcard  
 Check for \$ \_\_\_\_\_ ☐ Total Deposit Account charge for \$ \_\_\_\_\_ Attorney: SD/CNT  
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## CLO2 Descrip.:

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

Applicant: Barich, et al. Docket No. 47440-037000  
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☐ Other: \_\_\_\_\_  
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 \_\_\_\_\_ pages of Claims  
 \_\_\_\_\_ pages of Abstract  
 \_\_\_\_\_ pages of Formal/Informal Drawings  
☐ Information Disclosure Statement  
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## CERTIFICATE OF MAILING

I hereby certify that this correspondence with attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

on July 18, 2003  
Date of Mailing  
Stephen T. Scherrer  
Applicant, Assignor or Registered Representative  
[Signature]  
Signature  
July 18, 2003  
Date of Signature

RESPONSE TO OFFICE ACTION TRANSMITTAL LETTER			ATTORNEY'S DOCKET NO. 47440-037000
APPL. NO. 09/725,656	FILING DATE November 29, 2000	EXAMINER J. Cozart	GROUP ART UNIT 3726
INVENTOR(S) Barich, et al.			
TITLE OF INVENTION Railcar Maintenance Process			

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is a response in the above-identified application to the Restriction Requirement of April 22, 2003

- ☐ Small entity status of this application under 37 CFR 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish a small entry status under 37 CFR 1.9 and 1.27 is enclosed.
- ☐ A request for a \_\_\_\_-month extension of time is enclosed.
- ☒ No additional claim fee is required.
- ☐ The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL		MINUS		
INDEP.		MINUS		
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

## SMALL ENTITY

RATE	ADD'L FEE
x \$9 =	\$0
x \$42 =	\$0
x \$135 =	\$
TOTAL ADD'L FEE	\$

OTHER THAN A  
SMALL ENTITY

RATE	ADD'L FEE
x \$18 =	\$
x \$84 =	\$
x \$270 =	\$
TOTAL ADD'L FEE	\$

- ☐ Please charge Deposit Account No. 13-0206 in the amount of \$00.00 for the Response to Office Action. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17 associated with this communication or credit any overpayment to Deposit Account No. 13-0206. A duplicate copy of this sheet is enclosed.
- ☐ I hereby petition under 37 CFR 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 13-0206. A duplicate copy of this sheet is enclosed.

July 18, 2003  
(Date)

SIGNATURE: [Signature]  
ATTORNEY NAME: Stephen T. Scherrer  
REGISTRATION NO: 43,080

McDERMOTT, WILL & EMERY  
227 WEST MONROE STREET  
CHICAGO, ILLINOIS 60606  
tel.: (312) 372-2000  
fax.: (312) 987-7700

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Stephen T. Scherzer  
Applicant, Assignor or Registered Representative  
[Signature]  
Signature  
July 18, 2003  
Date of Signature

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APPL. NO. 09/725,656	FILING DATE November 29, 2000	EXAMINER J. Cozart	GROUP ART UNIT 3726
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- ☒ No additional claim fee is required.
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INDER.		MINUS		
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- ☐ I hereby petition under 37 CFR 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 13-0206. A duplicate copy of this sheet is enclosed.

July 18, 2003  
(Date)

SIGNATURE: [Signature]

ATTORNEY NAME: Stephen T. Scherzer  
REGISTRATION NO: 45,080

McDERMOTT, WILL & EMERY  
227 WEST MONROE STREET  
CHICAGO, ILLINOIS 60606  
tel.: (312) 372-2000  
fax.: (312) 987-7700

Docket No. 47440-037000

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Barich, et al., U.S. Patent Application  
No. 09/725,656

Filed: November 29, 2000

For: Railcar Maintenance Process

Examiner: J. Cozart

Group Art Unit: 3726

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P.O. Box 1450  
Alexandria, Virginia 22313-1450

Stephen T. Scherrer, Registration No. 45,080

## AMENDMENT

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The present amendment is submitted in response to the Office Action dated April 22, 2003. Please amend the application as indicated below and consider the following remarks.